

service which is exempt from tax for any reason specified in section 4253 is not included in wire mileage service. In general, the term means (except as qualified by the preceding sentences of this paragraph) any telephone or radio-telephone service, and any other wire or radio circuit service, which may not be connected, directly or indirectly, to an exchange operated by a person engaged in the business of furnishing communication service. Wire mileage service ordinarily relates to private line or private channel service where lines or channels, equipment, and other facilities are furnished (usually but not necessarily, on a contractual basis) to enable users to communicate between specified locations continuously or for specified periods, as distinguished from the sending of single dispatches, messages, and conversations by telephone, radiotelephone, telegraph, cable, or radio, for which tolls are charged by the carrier. The communications may be telephonic or in code, or may be reproduced at the terminating end in the form of a typewritten page or tape, or picture facsimile. The term "wire mileage service" does not include any service which is used exclusively in furnishing wire and equipment service.

(b) *Examples.* The following are examples of wire mileage service (except that in the case of services furnished on or after January 1, 1963, wire mileage service does not include any such services used in the conduct of a trade or business):

- (1) Channels and equipment for private telephone service,
- (2) Channels and equipment for private code service,
- (3) Channels and equipment for private teletypewriter or teleprinter service,
- (4) Channels and equipment for program transmission, and
- (5) Channels and equipment for photograph, picture or facsimile transmission, etc.

(c) *Amounts paid.* In determining the amount of tax due, the amount paid for the service shall include all charges made in connection with the furnishing of any wire mileage service, such as salaries of operators, if in the employ of the person furnishing such service, charges for equipment, instruments,

and other apparatus other than station terminal equipment. In cases where a person leases lines or channels, equipment, and other facilities used in conjunction with wire mileage service, the amounts paid by such person for such lines or channels, equipment, and other facilities constitute amounts paid for wire mileage service, notwithstanding the fact that the lines or channels, equipment, and other facilities used in conjunction with such service are supplied by different persons or in part by the user of such service.

(d) *Exemptions.* For exemptions from the tax imposed on amounts paid for wire mileage service, see sections 4253, 4292, 4293, and 4294, and the regulations thereunder contained in this part.

§ 49.4252-7 Wire and equipment service.

(a) *In general.* The term "wire and equipment service" includes stock quotation and information services, burglar alarm or fire alarm service, and all other similar services (whether or not oral transmission is involved). In general, the term relates to wire lines or channels and equipment by means of which information or services are furnished to the subscriber. The phrase "all other similar services" includes innovations in the wire and equipment field. The term does not include teletypewriter exchange service or any service furnished by any means other than wire communication. Tax is imposed on the amounts paid for such wire lines or channels, equipment, and information or services.

(b) *Examples.* The following are examples of wire and equipment service:

- (1) Burglar, fire, or other alarm service where the service consists of wire lines or channels furnished between a remote point and the subscriber's premises, or a police or fire station, or a central station, and over which a signal is transmitted in the case of illegal entry, fire, leakage, etc.
- (2) Wire lines or channels furnished between a point of origin and the subscriber's premises over which are given stock and bond market quotations and reports, racing results, baseball scores, and other sporting results, news items, musical programs, weather reports, the time, etc.

(3) Metering services, including wire lines or channels and equipment, furnished between a remote point and the subscriber's premises, over which signals are transmitted so that the subscriber may obtain information as to a given condition at the remote point, such as water level, water pressure, gas pressure, etc.

(4) Remote control wire lines or channels furnished between a remote point and the subscriber's premises over which signals are transmitted which will actuate an instrument at the remote point.

(c) *Amounts paid.* In determining the amount of tax due, the amount paid for the service shall include all charges made in connection with the furnishing of any wire and equipment services, such as salaries of operators, if in the employ of the person furnishing such service, charges for equipment, instruments, and other apparatus. Where the service rendered includes the furnishing of information or programs such as stock market quotations, baseball scores, racing results, weather reports, or musical programs, etc., any amounts charged for information or programs furnished shall also be included, whether or not individual items are charged or billed separately. In cases where a person leases lines or channels, equipment, and other facilities used in conjunction with wire and equipment service, the amounts paid by such person for such lines or channels, equipment, and other facilities constitute amounts paid for wire and equipment service, notwithstanding the fact that the lines or channels, equipment, and other facilities used in conjunction with such service are supplied by different persons or in part by the user of such service.

(d) *Relationship to wire mileage service.* The tax on wire mileage service does not apply in respect of any service which is used exclusively in furnishing wire and equipment service. See § 49.4252-6.

(e) *Exemptions.* For exemptions from the tax imposed on amounts paid for wire and equipment service, see sections 4253, 4292, 4293, and 4294, and the regulations thereunder contained in this part.

§ 49.4253-1 Exemption for certain coin-operated service.

(a) *In general.* Except as provided in paragraph (b) of this section, the tax imposed on amounts paid for general telephone service is not applicable to a single telephone conversation paid for by inserting coins in a public coin-operated telephone. The tax imposed on amounts paid for toll telephone service or telegraph service is not applicable to a single telephone conversation for which a toll charge is made (see paragraph (a) of § 49.4252-2), or to a telegraph message, if the charge for such toll telephone service (including any additional charge for overtime) or telegraph service is less than 25 cents and is paid for by inserting coins in a public coin-operated telephone.

(b) *Exception where service furnished for a guaranteed amount.* Where a coin-operated telephone service is furnished for a guaranteed amount, the amount paid under such guarantee plus any fixed monthly or other periodic charge is subject to the tax imposed on amounts paid for general telephone service. The tax applies to the full amount of the guarantee whether such amount is paid out of receipts from the coin-box of the telephone or from funds of the subscriber.

§ 49.4253-2 Exemption for news services.

(a) *In general.* The exemption for news services provided by section 4253(b) is applicable to payments for services of the kind listed in section 4251, except general telephone service. The exemption will apply only with respect to payments for services which are utilized exclusively:

(1) In the collection of news for the public press or radio or television broadcasting or in the dissemination of news through the public press or by means of radio or television broadcasting; or

(2) In the collection or dissemination of news by a news ticker service furnishing a general news service similar to that of the public press.

For the exemption to apply, the charge for the services must be billed in writing to the person paying for the services and such person must certify in